IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.944 OF 2007

Bhartiya Vidya Bhavan's Sardar Patel Institute of Technology & Anr. ... Petitioners

Vs.

State of Maharashtra & Ors. ... Respondents

Mr. S.G. Surana for the petitioners.

Mr. K.R. Belosey, Off. G.P. for the State.

CORAM : SWATANTER KUMAR, C.J. &
SMT. RANJANA DESAI, J.

DATED : JULY 19, 2007.

P.C.:-

1. The learned counsel appearing for the parties jointly state that the matter in controversy is clearly covered by the judgment dated 30/8/2005 of the Division Bench of this court in ***Writ Petition No.2174 of 2005 between Mahavir Education Trust & Anr. v. The State of Maharashtra & Anr.*** and submit that they have no objection if an order similar to that, is followed in the present petition.

2. In view of the fact that the dispute, in question and in fact and law, is squarely covered by the above judgment, we set aside the impugned order and remand the matter to respondent No.2, who shall hear the petitioners and pass appropriate orders in accordance with law. The petition is disposed of with no order as to costs.

[CHIEF JUSTICE]

[SMT. RANJANA DESAI, J.]